International application No.
PCT/JP2004/008786

						101/01200	1 4 /000/00
A.	CLASSIFICA	TION OF SUBJECT	MATTER				
	Int.Cl'	C12N15/09,	C12N1/21,	C12N5/10,	C07K14/435,	C07K19/00,	C12Q1/02
		G01N33/50,	G01N33/53	3			
Acc	ording to Inter	national Patent Class	sification (IPC) or	to both national c	lassification and IPC		

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
Int.Cl⁷ C12N15/09, C12N1/21, C12N5/10, C07K14/435, C07K19/00, C12Q1/02, G01N33/50, G01N33/533

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
SwissProt/PIR/Geneseq, WPI (DIALOG), BIOSIS (DIALOG)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Х .	WO 03/042401 A2 (Clontech Laboratories Inc.), 22 May, 2003 (22.05.03), (Family: none)	1,7,13-15, 26-30,32,34, 35
Х	WO 01/027150 A2 (Clontech Laboratories Inc.), 19 April, 2001 (19.04.01), & EP 1305412 A2 & JP 2003-527833 A	1,6,7, 12-15,24-30, 32,34,35
x	WO 02/068459 A2 (Clontech Laboratories Inc.), 06 September, 2002 (06.09.02), & EP 1385967 A2 & US 2002/0197676 A1 & US 2003/0022287 A1	1-4,7-10, 13-21,26-30, 32,34,35

Further documents are listed in the continuation of Box C. Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. See patent family annex. "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is taken alone document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is taken alone document with principle or theory underlying the invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone document with principle or theory underlying the invention cannot be considered novel or cannot be considered novel or cannot be considered to involve an invention and the priority date claimed invention and the priority date cl			·		
document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office document defining the general state of the art which is not considered to the or particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family Date of mailing of the international search report 03 August, 2004 (03.08.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	×	Further documents are listed in the continuation of Box C.	See patent family annex.		
document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. document defining the general state of the art which is not considered to involve an invention cannot be considered novel or cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "X" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family Date of mailing of the international search 12 July, 2004 (12.07.04) Authorized officer Telephone No.	•	Special categories of cited documents:	"T" later document published after the international filing date or priority		
filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. Facsimile No.	"A"	document defining the general state of the art which is not considered	date and not in conflict with the application but cited to understand		
cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Telephone No.	· ·		considered novel or cannot be considered to involve an inventive		
special reason (as specified) document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 12 July, 2004 (12.07.04) Date of mailing of the international search 2 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. Special reason (as specified) considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family Date of mailing of the international search 03 August, 2004 (03.08.04) Authorized officer Telephone No.	"L"		step when the document is taken alone		
document referring to an oral disclosure, use, exhibition or other means document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 12 July, 2004 (12.07.04) Date of mailing address of the ISA/ Japanese Patent Office Telephone No.			a document of particular foretailor, are claimed invention came to		
Tacsimile No. "&" document member of the same patent family Date of mailing of the international search report 03 August, 2004 (03.08.04) Authorized officer Telephone No.	"O"	document referring to an oral disclosure, use, exhibition or other means	combined with one or more other such documents, such combination		
Date of the actual completion of the international search 12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. Date of mailing of the international search report 03 August, 2004 (03.08.04) Authorized officer Telephone No.	"P"	document published prior to the international filing date but later than	being obvious to a person skilled in the art		
12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. O3 August, 2004 (03.08.04) Authorized officer Telephone No.		the priority date claimed	"&" document member of the same patent family		
12 July, 2004 (12.07.04) Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. O3 August, 2004 (03.08.04) Authorized officer Telephone No.		·			
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. Authorized officer Telephone No.	Date of the actual completion of the international search		Date of mailing of the international search report		
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No. Authorized officer Telephone No.			03 August, 2004 (03.08.04)		
Japanese Patent Office Facsimile No. Telephone No.					
Japanese Patent Office Facsimile No. Telephone No.	Name and mailing address of the ISA/		Authorized officer		
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		oapanese racenc office			
	Facsi	mile No.	Telephone No.		

International application No.
PCT/JP2004/008786

C (Continuetion		2004/000/00	
). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.	
X	WO 00/34318 A1 (Clontech Laboratories Inc.), 15 June, 2000 (15.06.00), (Family: none)	1,4,7,10, 13-15,20,21, 26-30,32,34, 35	
Х	JP 2002-531146 A (Clontech Laboratories Inc.), 24 September, 2002 (24.09.02), & WO 2000/34526 A1 & EP 1135532 A1	2-5,8-11,13, 16-23,26-35	
. X	WO 00/34320 A1 (Clontech Laboratories Inc.), 15 June, 2000 (15.06.00), (Family: none)	2,3,8,9,13, 16-19,26-30, 32,34,35	
X .	WO 02/090535 A1 (Rigel Pharmaceuticals Inc.), 14 November, 2002 (14.11.02), & EP 1399547 A1 & US 2003/0149254 A1 & US 2004/0002056 A1	4,6,10,12, 13,20,21, 24-30,32,34, 35	
X .	WO 00/34319 A1 (Clontech Laboratories Inc.), 15 June, 2000 (15.06.00), (Family: none)	5,11,13,22, 23,26-35	
Х	WO 02/096924 A1 (Clontech Laboratories Inc.), 05 December, 2002 (05.12.02), (Family: none)	5,11,13,22, 23,26-35	
x	WO 03/033693 Al (The Institute of Physical and Chemical Research), 24 April, 2003 (24.04.03), (Family: none)	6,12,13, 24-30,32,34, 35	
х	WO 00/34321 A1 (Clontech Laboratories Inc.), 15 June, 2000 (15.06.00), (Family: none)	6,12,13, 24-30,32,34, 35	
		-	

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Box No. II Observation	ons where certain claims were found unsearchable (Continuation of item 2 of first sheet)
1. Claims Nos.:	ort has not been established in respect of certain claims under Article 17(2)(a) for the following reasons: to subject matter not required to be searched by this Authority, namely:
	to parts of the international application that do not comply with the prescribed requirements to such an ningful international search can be carried out, specifically:
3. Claims Nos.: because they are de	ependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box No. III Observation	ons where unity of invention is lacking (Continuation of item 3 of first sheet)
With respect to 7, 9, 11 and 13 derived from Acramino acid seque structure (65% of which are only from the anthoz However, since (Sinularia loch (continued to e) 1. As all required additional fee. 2. X As all searchable claims. 3. As only some of the	e various fluorescent proteins derived from the anthozoan class hmodes subclass and Screlactinians subclass) are known as
4. No required addition restricted to the investment of the invest	onal search fees were timely paid by the applicant. Consequently, this international search report is vention first mentioned in the claims; it is covered by claims Nos.: The additional search fees were accompanied by the applicant's protest. No protest accompanied the payment of additional search fees.

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Continuation of Box No.III of continuation of first sheet(2)

described in the references cited in the following C-column, being fluorescent proteins derived from the anthozoan class cannot constitute special technical features within the meaning of PCT Rule 13.2.

Therefore, the inventions relating to fluorescent proteins defined by SEQ ID Nos. 1, 3, 5, 7, 9, 11 and 13 among the inventions claimed in the claims cannot be stated as being a group of inventions linked with each other so as to form a single general inventive concept. It appears that as the fluorescent proteins defined by SEQ ID Nos. 3, 5 and 7 satisfy the requirement of unity of invention, the inventions consist of a group of five inventions directed to five different fluorescent proteins.

A. 発明の属する分野の分類(国際特許分類(IPC)) Int. Cl ⁷ Cl2N15/09、Cl2N1/21、Cl2N5/10、C07K14/435、C07K19/00、Cl2Q1/02、G01N33/50、G01N33/533			
B. 調査を	ーーーーーーーーーーーーーーーーーーーーーーーーーーーーーーーーーーーー		
調査を行った	最小限資料(国際特許分類(IPC)) 15/09、C12N1/21、C12N5/10、C07K14/435、C07K	19/00、C12Q1/02、G01N33/50、G01N33/5	533
最小限資料以	外の資料で調査を行った分野に含まれるもの		
SwissPro	用した電子データベース(データベースの名称、 t/PIR/Geneseq、)G)、BIOSIS(DIALOG)	調査に使用した用語)	
	ると認められる文献		
引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連すると	ときは、その関連する箇所の表示	関連する 請求の範囲の番号
X	WO 03/042401 A2 (Clontech Laborat (ファミリーなし)	ories Inc) 2003.05.22	1, 7, 13–15, 26 –30, 32, 34, 35
x	WO 01/027150 A2 (Clontech Laborat & EP 1305412 A2 & JP 2003-527833	•	1, 6, 7, 12–15, 24–30, 32, 34, 35
X	WO 02/068459 A2 (Clontech Laborat & EP 1385967 A2 & US 2002/0197676	· ·	1-4, 7-10, 13- 21, 26-30, 32, 34, 35
区欄の続きにも文献が列挙されている。 □ パテントファミリーに関する別紙を参照。			
* 引用文献のカテゴリー 「A」特に関連のある文献ではなく、一般的技術水準を示すもの 「E」国際出願日前の出願または特許であるが、国際出願日以後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの「X」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの日おしくは他の特別な理由を確立するために引用する大学で、当時に関連のある文献であって、当該文献と他の1以文献(理由を付す) 「O」口頭による開示、使用、展示等に言及する文献「P」国際出願日前で、かつ優先権の主張の基礎となる出願「&」同一パテントファミリー文献			
国際調査を完了した日 12.07.2004 国際調査報告の発送日 03.8.2004			
国際調査機関の名称及びあて先 日本国特許庁 (ISA/JP) 郵便番号100-8915 東京都千代田区段が関三丁目4番3号 特許庁審査官(権限のある職員) 田 村 明 照 電話番号 03-3581-1101 内線 344			

関連すると認められる文献	
	関連する 請求の範囲の番号
WO 00/34318 A1 (Clontech Laboratories Inc) 2000.06.15 (ファミリーなし)	1, 4, 7, 10, 13- 15, 20, 21, 26- 30, 32, 34, 35
JP 2002-531146 A (Clontech Laboratories Inc) 2002.09.24 & WO 2000/34526 A1 & EP 1135532 A1	2-5, 8-11, 13, 16-23, 26-35
WO 00/34320 A1 (Clontech Laboratories Inc) 2000.06.15 (ファミリーなし)	2, 3, 8, 9, 13, 16–19, 26–30, 32, 34, 35
WO 02/090535 A1 (Rigel Pharmaceuticals Inc) 2002.11.14 & EP 1399547 A1 & US 2003/0149254 A1 & US 2004/0002056 A1	4, 6, 10, 12, 13, 20, 21, 24- 30, 32, 34, 35
₩0 00/34319 A1 (Clontech Laboratories Inc) 2000.06.15 (ファミリーなし)	5, 11, 13, 22, 23, 26–35
WO 02/096924 A1 (Clontech Laboratories Inc) 2002.12.05 (ファミリーなし)	5, 11, 13, 22, 23, 26-35
WO 03/033693 A1 (理化学研究所) 2003.04.24 (ファミリーなし)	6, 12, 13, 24– 30, 32, 34, 35
WO 00/34321 A1 (Clontech Laboratories Inc) 2000.06.15 (ファミリーなし)	6, 12, 13, 24– 30, 32, 34, 35
	JP 2002-531146 A (Clontech Laboratories Inc) 2002.09.24 & WO 2000/34526 A1 & EP 1135532 A1 WO 00/34320 A1 (Clontech Laboratories Inc) 2000.06.15 (ファミリーなし) WO 02/090535 A1 (Rigel Pharmaceuticals Inc) 2002.11.14 & EP 1399547 A1 & US 2003/0149254 A1 & US 2004/0002056 A1 WO 00/34319 A1 (Clontech Laboratories Inc) 2000.06.15 (ファミリーなし) WO 02/096924 A1 (Clontech Laboratories Inc) 2002.12.05 (ファミリーなし) WO 03/033693 A1 (理化学研究所) 2003.04.24 (ファミリーなし) WO 00/34321 A1 (Clontech Laboratories Inc) 2000.06.15

第Ⅱ柳 請求の範囲の一部の調査ができないときの意見 (第1ページの2の続き)
法第8条第3項(PCT17条(2)(a))の規定により、この国際調査報告は次の理由により請求の範囲の一部について作成しなかった。
1. □ 請求の範囲 は、この国際調査機関が調査をすることを要しない対象に係るものである。 つまり、
2. □ 請求の範囲は、有意義な国際調査をすることができる程度まで所定の要件を満たしていない国際出願の部分に係るものである。つまり、
3. □ 請求の範囲は、従属請求の範囲であってPCT規則6.4(a)の第2文及び第3文の規定に 従って記載されていない。
第Ⅲ欄 発明の単一性が欠如しているときの意見(第1ページの3の続き)
次に述べるようにこの国際出願に二以上の発明があるとこの国際調査機関は認めた。
請求の範囲に記載された配列番号1、3、5、7、9、11、13で表される蛍光蛋白質は、配列番号3、5、7で表されるミドリイシ由来の蛍光蛋白質が類似するアミノ酸配列(同一性88%以上)を有するものの、その他のアミノ酸配列の間には共通の化学構造は存在せず(同一性65%以下)、花虫綱由来の蛍光蛋白質であることにおいてのみ共通する。しかしながら、下記C欄の引用文献にも記載されているように、花虫綱(八放サンゴ亜綱、六放サンゴ亜綱)由来の蛍光蛋白質が各種知られていることから、花虫綱由来の蛍光蛋白質であることはPCT規則13.2における特別な技術的特徴であるとはいえない。よって、請求の範囲に記載された発明のうち配列番号1、3、5、7、9、11、13で表される蛍光蛋白質に関する発明は、単一の一般的発明概念を形成するように連関している一群の発明であるとはいえず、配列番号3、5、7で表される蛍光蛋白質が発明の単一性を満たすものの、異なった5種の蛍光蛋白質に関する5個の発明からなる発明群であると認められる。
1. 出願人が必要な追加調査手数料をすべて期間内に納付したので、この国際調査報告は、すべての調査可能な請求の範囲について作成した。
2. 区 追加調査手数料を要求するまでもなく、すべての調査可能な請求の範囲について調査することができたので、追加調査手数料の納付を求めなかった。
3. 出願人が必要な追加調査手数料を一部のみしか期間内に納付しなかったので、この国際調査報告は、手数料の納付のあった次の請求の範囲のみについて作成した。
4. □ 出願人が必要な追加調査手数料を期間内に納付しなかったので、この国際調査報告は、請求の範囲の最初に記載されている発明に係る次の請求の範囲について作成した。
 追加調査手数料の異識の申立てに関する注意
□ 追加調査手数料の納付と共に出願人から異議申立てがあった。
追加調査手数料の納付と共に出願人から異議申立てがなかった。